THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 15528 of 2005

Between:

Nammi Demudu, S/o.Late Satyam,
R/o.Raindram Village, Bondapalli Mandalam,

Vizianagaram district.

..... PETITIONER

AND

1 The Superintendent of Police,

Jami Police Station, Vizianagaram,

Vizianagaram district.
2 The Circle Inspector,

Jami Police Station, Vizianagaram,

Vizianagaram district.

.....RESPONDENTS

Counsel for the Petitioner:MR.B.PARAMESEWARA RAO
Counsel for the Respondents: GP FOR HOME

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 15528 of 2005

ORDER:

Seeking a declaration that the action of the 1st respondent in not taking any action on the representation submitted by the petitioner on 8-5-2004 pending before the 2nd Respondent is arbitrary and illegal and consequently to direct the respondents herein to forthwith change the Section of Law as per the complaint initially lodged by the petitioner in order to punish the accused in accordance with law, the present writ petition has been filed.

None appeared for the petitioner. Heard the Government Pleader for the respondents. It is for the police to investigate the offence and register a case under appropriate section of law. As a matter of fact, when the petitioner made a complaint to the Station House Officer, Vizianagaram that her sister was murdered by her husband and in-laws, the Station House Officer enquired into the matter, examined the witnesses and got verified the post mortem report wherein it was stated that no external or internal injuries were found on the body of the deceased and the vital parts of the body are intact and normal including Hyoid bone. Then, he came to a conclusion that the death of the deceased was not a murder and it is purely a suicide and registered a case in Cr.No.7/2004 under Sections 498 and 506 of Indian Penal Code.

The said action of the respondents cannot be said to be arbitrary or illegal. Hence the relief sought for in this writ petition cannot be granted. But in my considered opinion, it would be appropriate to direct the police to file a charge sheet expeditiously.

Accordingly, the writ petition is closed directing the police to file a charge sheet as expeditiously as possible. No order as to costs.

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K.C.BHANU, J.

Dated: 09-09-2005.

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